



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Ahmad, *et al.*

U.S. National Phase of PCT/SE00/01505

Intl. Filing Date: July 20, 2000

§ 371 Date: September 29, 2000

Appl. No.: 09/647,481

For: **Receptor**

Art Unit: 1646

Examiner: O. Chernyshev

Atty. Dkt.: 7567/73170
(Formerly 81823/273963)

Response to Restriction Requirement

Commissioner of Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

In response to the Office Action dated May 5, 2003, in which the Examiner imposed a restriction requirement on the above-captioned application, Applicants hereby elect the inventions of Group I. This includes claims 1-2 and 6-13, drawn to a protein, polynucleotide encoding the protein, vector and host cell. It is respectfully requested that all of the claims in the non-elected restriction groups, i.e., claims 3-5 and 14-26, be cancelled.

This election is made with traverse.

Although Applicants have not elected Groups III, IV, VI or VII, it is respectfully submitted that the claims in these groups should not be divided. The assay set forth in the claims in Group VII is designed to determine whether a test compound is an agonist or antagonist of the B1C3 receptor. This involves determining two separate things, whether the test compound binds specifically to the receptor, and whether such binding increases or decreases the activity of adenylyl cyclase to cause a corresponding change in intracellular calcium levels. Thus, the claims in

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restriction Group III (directed to methods for determining whether a compound binds to the BIC3 receptor) and restriction Groups IV and VI (directed to assays for determining whether binding results in an increase or decrease in adenylyl cyclase activity and intracellular calcium) are individual components of the broader assays set forth in restriction Group VII. As such, a search of the art relevant to the inventions in restriction Group VII will, of necessity, require an identification and consideration of the same art relevant to the inventions of restriction Groups III, IV and VI. Therefore, Applicants respectfully submit that these claims should not have been put in separate restriction groups and that they should be considered together.

Applicants do not believe that any fees, other than those that may be already provided for herewith, are required for the filing of the present document. Nevertheless, any additional fees that may be required may be charged to our Deposit Account No. 06-1135 under Order No. 7567/73170.

If, in the opinion of the Examiner, a phone call may help to expedite this matter, the Examiner is invited to call Applicants' undersigned attorney at (202) 419-7013.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By Michael A. Sanzo
Michael A. Sanzo
Reg. No. 36,912
Attorney for Applicants

Date June 2, 2003
1801 K Street, N.W., Suite 401L
Washington, DC 20006-1201
Phone: (202) 419-7013